

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mercep et al.

Serial No.: 10/595,934

Examiner: A.M. Lewis

Filing Date: August 11, 2006

Art Unit: 1614

For: 1,2-Diaza-Dibenzo[E,H]Azulenes For The Treatment Of Central Nervous System Diseases and Disorders

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

Sir:

This communication is in response to the Office Action sent electronically on notification date June 9, 2009, setting a one-month period for response that expires on July 9, 2009. Applicants hereby request a one month extension of time for response, expiring August 9, 2009.

The Office has required election of species of compound of formula IA or IB from the claims. Applicants elect the compound [2-(11-Chloro-1H-8-oxa-1,2-diaza-dibenzo[e,h]azulen-3-ylmethoxy)-ethyl]-dimethyl-amine. The elected compound is of Formula 1A wherein X is O, Z is Cl, Y is H, R² is H, R¹ is substituent of formula II wherein R³ and R⁴ are methyl, m is 1, n is 1, Q₁ is O and Q₂ is CH₂. Claims 1-15 read on this species.

The Office has also required election of species from the recited disease, damage, or disorder of the central nervous system. Applicants elect depression. Claims 1-10 and 12-15 read on this species.